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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,521	02/09/2004	Grace Shung Shin Lin	24061.126 (TSMC2003-0828)	3200
42717 7590 01/28/2008 HAYNES AND BOONE, LLP 901 Main Street Suite 3100 Dallas, TX 75202			EXAMINER NELSON, FREDA ANN	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 01/28/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/774,521

Applicant(s)

LIN ET AL.

Examiner

FREDA A. NELSON

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

The amendment received on October 17, 2007 is acknowledged and entered.

Claims 1 and 13 have been amended. Claims 24-45 have been canceled. No claims have been added. Claims 1-24 are currently pending.

### ***Response to Amendment and Arguments***

Applicant's arguments with respect to claim 1-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Specification***

The disclosure is objected to because of the following informalities:

Page 6, line 1, "future..", should be "future."

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 13-16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Mori et al. (US PG Pub. 2002/0143424).

Art Unit: 3628

As per claim 1, Mori et al discloses a method for processing a semiconductor industry pricing decision comprising:

building a case document based on customer information and account sales information ([0016],[0136]-[0137]);

providing the case document to a case analyzer ([0051]);

providing internal information to the case analyzer ([0066]); and

generating a case summary document by the case analyzer ([0066]);

wherein the case summary document includes a pricing option associated with a product or service that is to be provided for the customer ([0066]).

As per claims 2 and 14, Mori et al. discloses making a pricing decision using the case summary document ([0136]-[0137]).

As per claims 3-4 and 15-16, Mori et al. discloses adjusting a database based on the pricing decision. ([0110]).

As per claims 6 and 18, Mori et al. discloses wherein the customer information includes a quantity of a product that is needed and a date when the product is needed (FIG. 12).

As per claim 13, Mori et al. discloses a method for processing a semiconductor industry pricing decision comprising:

Art Unit: 3628

receiving customer order information ([0136]);

providing account sales information that is specific to the customer order information ([0137]);

building a case document based on customer order information and account sales information ([0016],[0136]-[0137]);

providing the case document to a case analyzer ([0051]);

providing internal information to the case analyzer ([0066]); and

generating a case summary document by the case analyzer ([0066]);

wherein the case summary document includes a pricing option associated with a product or service that is to be provided for the customer ([0066]).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 7-12, 17, 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori et al. (US PG Pub. 2002/0143424) in view of Katz et al. (US PG Pub. 2002/0178077).

As per claims 5 and 17, Mori et al. does not expressly disclose wherein the pricing decision is provided to the customer and the account sales.

Art Unit: 3628

Katz et al. discloses Internal data from Customer Relationship Management (CRM) systems 58 preferably include proprietary information about customer relations, such as profits, billing, contracts, sales activity data, contact management data, customer segmentation data, product and services profiles, marketing plans, POs, order tracking data, order acquisition data, customer address directories, customer preferences, customer site information, vital customer data, customer service management data, field service data, order life cycle process, and/or CRM planning data, etc. ([0044]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Mori et al. to include the feature of Katz et al. in order to provide a number of users with pricing information.

As per claims 7 and 19, Mori et al. does not explicitly disclose wherein the account sales information includes a history of price quotes offered to the customer.

Katz et al. discloses external data from suppliers 60 preferably comprise data about suppliers and vendors, such as product catalog data, prices, quantity, availability, product specifications, delivery date, supplier location, shipping locations, total net landed cost, current sales offers, past sales offers, and/or lead time, etc. External data from product databases 62 preferably include data about products, such as product catalog data, product name, product description, product specifications, design schematics, manufacturers, manufacturer information, manufacturer specifications, part numbers, End of Life (EOL) information, class of equivalent parts, class of upgrade

Art Unit: 3628

parts, standard industry categories, classes of parts that are equivalent to said component for certain specified applications, and/or links to manufacturer's datasheets, etc., from a plurality of product databases ([0046])

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Mori et al. to include the feature of Katz et al. in order to record historical sales data and offers to be used as a basis for future offers.

As per claims 8, 11, 20 and 23, Mori et al. does not expressly disclose reviewing the case document before providing it to the case analyzer to make a decision whether to provide the case document to the case analyzer; and wherein the decision is made not to provide the case document to the case analyzer and that decision is provided to the customer and the account sales.

Katz et al. discloses when an internal or external event occurs, directly affecting the purchase and/or sale of an item, and/or decisions regarding procurement, sourcing, strategic sourcing, and other business processes, the system understands the event, correlates the event with the aforementioned processes, automatically invokes one or more software modules, which make recommendations and send alerts to users about the potential impact of such an event. Components for implementing this method consist of internal data collection components, external data collection components, data integration components, and data application components. Various methods for

Art Unit: 3628

searching, extracting, transforming, integrating, analyzing, and representing both data internal to an enterprise and data external to an enterprise are also disclosed (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Mori et al. to include the feature of Katz et al. in order make a more sound decision to provide or not provide the sale to the customer.

As per claims 9-10 and 21-22, Mori et al. does not expressly disclose wherein the decision is made to provide the case document to the case analyzer whereby regional information is added to the case document before the case document is provided to the case analyzer; and wherein the regional information includes data on the financial impact of the pricing decision.

Katz et al. discloses when an internal or external event occurs, directly affecting the purchase and/or sale of an item, and/or decisions regarding procurement, sourcing, strategic sourcing, and other business processes, the system understands the event, correlates the event with the aforementioned processes, automatically invokes one or more software modules, which make recommendations and send alerts to users about the potential impact of such an event. Components for implementing this method consist of internal data collection components, external data collection components, data integration components, and data application components. Various methods for searching, extracting, transforming, integrating, analyzing, and representing both data internal to an enterprise and data external to an enterprise are also disclosed (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Mori et al. to include the feature of Katz et al. in order make a more sound decision to provide or not provide the sale to the customer based on external data. .

As per claims 12 and 24, Mori et al. does not explicitly disclose wherein the internal information provided to the case analyzer includes market data.

However, Katz et al. discloses targeting procurement and supply chain professionals, VCI systems in accordance with the present invention provide a variety of solutions that enable companies to reduce the risk of shortages, quickly take advantage of market opportunities, and improve overall capital efficiency. Such VCI systems allow companies to access external supplier and spot market data, integrate this data with internal data from multiple enterprise systems, analyze the impact of this data on the supply chain to identify risks and opportunities, and act on these findings. Such VCI systems may be used to combine supply chain planning and execution functions with other services, such as data integration, demand forecasting, and continuous market analysis, enabling users to not only gain insights into their supply chain operations, but also share the data among all participants in the supply chain network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Mori et al. to include the feature of Katz et al. in order make a more sound decision to provide or not provide the sale to the customer based on external data, as well as, market data.

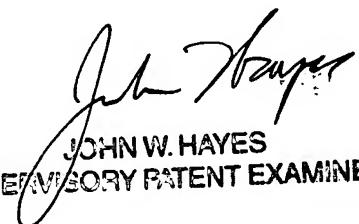
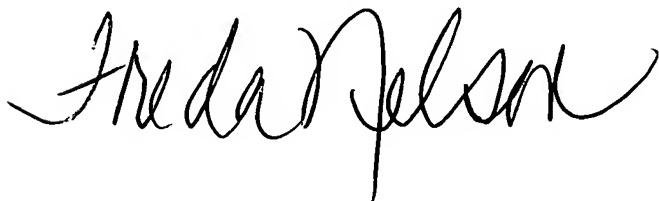
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRED A. NELSON whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday -Wednesday and Friday, 10:00 AM -6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FAN 01/22/08



JOHN W. HAYES  
SUPERVISORY PATENT EXAMINER